

MAR 1952

CLASSIFICATION RESTRICTED  
 SECURITY INFORMATION  
 CENTRAL INTELLIGENCE AGENCY  
 INFORMATION FROM  
 FOREIGN DOCUMENTS OR RADIO BROADCASTS

REPORT

STAT

CD NO.

COUNTRY Yugoslavia

DATE OF  
INFORMATION 1952

SUBJECT Political - Law, constitution, administrative

HOW  
PUBLISHED Bimonthly periodical

DATE DIST. 13 Aug 1953

WHERE  
PUBLISHED Belgrade

NO. OF PAGES 2

DATE  
PUBLISHED Nov - Dec 1952

LANGUAGE Croatian

SUPPLEMENT TO  
REPORT NO.

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SOURCE Finansije, Vol VII, No 11, 12, 1952.ANALYSIS OF THE NEW CONSTITUTIONAL LAW OF YUGOSLAVIA

The following analysis of the new Constitutional Law of Yugoslavia, which went into effect on 13 January 1953, emphasizes the vesting of powers in the Yugoslav people.

An English translation of the text of the new law is given in a supplement to the State Department Joint Translation Service Summary of the Yugoslav Press, US Embassy, Belgrade, 14 January 1953.

The new Constitutional Law in Yugoslavia was drafted and promulgated after major changes had been effected in economic administration and government agencies had been decentralized. The purpose of these changes was to combat any capitalist tendencies by the government which could lead to bureaucratic control and to further the development of socialist democracy. The primary step in building Yugoslav socialism was the nationalization of the basic means of production, thus making possible widespread mobilization of the population, which was gravitating toward a more progressive social order. However, the backward economic system in Yugoslavia was conducive to the government becoming a power which would curb the development of socialism, as was the case in the USSR. To prevent this, Yugoslav leaders introduced a series of measures to ensure the development of a true socialist democracy.

The most revolutionary measures which followed the nationalization of industrial enterprises included turning over administration of factories to workers' councils and reorganization of people's councils into autonomous agencies representing the masses. These measures led to the reorganization of the entire government from the village municipality up to the federal People's Assembly.

- 1 -

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Proceeding from the fundamental socialist principle that the basic means of production belong to society, the new Constitutional Law confirms the worker's direct participation in administration of the economy. Participation is effected in enterprises, cooperatives, etc. in people's councils, and in the federal People's Assembly.

The new Constitutional Law vests workers with vast powers and duties in the administration of the economy by guaranteeing full economic autonomy. Whether they are workers' councils in industrial enterprises or village assemblies made up of members of cooperatives, workers' collectives prepare and execute their economic plans within the scope of the general social plan. When their obligations to the plan have been fulfilled, they distribute the results of their labor. Participation by producers in administration of the economy is also manifest in the people's councils, for they confirm the amounts called for by the social plan to be contributed to the accumulation and social funds by each economic organization in their areas. The people's councils employ the resulting resources independently, except for the portion allotted to the federal government and the People's Assembly by the federal and republic plans and the portion allotted to the economic organization concerned.

Yugoslav economic enterprises and organizations have representatives in the people's councils, republic assemblies, and the federal People's Assembly. These representatives make up councils of producers, which have vast powers in the administration of city, srez, republic, and federal economies. In city and srez people's councils, councils of producers participate in the preparation and execution of the social plan and budget; solution of problems connected with the establishment, merging, or liquidation of enterprises; issuance of economic administrative orders; and establishment of some taxes, duties, and similar assessments. In the federal People's Assembly, the federal Council of Producers participates with the Federal Council in the preparation of the federal social plan and budget, establishment of tax rates, and solution of problems pertaining to finance, credit, banking, etc.

The Council of Producers in the People's Assembly is on an equal footing with the Federal Council, not only in economic administration but also in important social and political questions, such as the election and recall of the president of Yugoslavia, election and recall of members of the federal Executive Council, changes in the Constitutional Law, etc.

The new Constitutional Law accords such powers to councils of producers, because if such powers were not accorded to workers in the present stage of development, further socialist democratic development in Yugoslavia would be impossible, and Yugoslavia would regress to administrative socialism. In the current development of socialist democracy in Yugoslavia, the councils of producers are the instruments of class policy. They assure the working class of the leading role in the development of socialism, in contrast to the USSR, where the bureaucrats have deprived workers and peasants of all participation in economic management.

The new Constitutional Law reduces the number of government agencies on the federal and republic levels to a minimum necessary for the execution of resolutions passed by the working class. The structure and powers of government agencies are fundamentally changed by the new law, no longer being concerned with direct administration of the economy, but with interpretation and conscientious implementation of statutes formulated by the people. Government agencies will continue to organize protection for the peaceful development of socialism against reactionary and counterrevolutionary forces which strive to obstruct and undermine such development, until socialist consciousness and social discipline become the primary factors supporting socialist democratic development in Yugoslavia and until progressive forces throughout the world are victorious.

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- 2 -

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